

HOUSE BILL 3818

By Hensley

AN ACT to amend Tennessee Code Annotated, Title 39,  
Chapter 17 and Title 55, Chapter 50, relative to  
firearms.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 39, Chapter 17, Part 13, is amended by adding the following language as a new section thereto:

39-17-1313. Any resident of Tennessee who is a United States citizen or permanent lawful resident, as defined by § 55-50-102, who has reached twenty-one (21) years of age, and who is not prohibited from purchasing or possessing a firearm in this state pursuant to § 39-17-1316 or § 39-17-1307(b), 18 U.S.C. § 922(g), or any other state or federal law, may carry a firearm in this state except as otherwise prohibited by law.

SECTION 2. Tennessee Code Annotated, Section 39-17-1307, is amended by deleting subdivision (a)(1) in its entirety and by substituting instead the following:

(a)(1) A person commits an offense who carries a weapon, openly or concealed, with the intent or avowed purpose of injuring a fellow man.

SECTION 3. Tennessee Code Annotated, Section 39-17-1307(a)(2), is amended by deleting subdivision (C) in its entirety.

SECTION 4. Tennessee Code Annotated, Section 39-17-1307, is further amended by deleting subsection (e) in its entirety and by substituting instead the following:

(e) A person who is under the age of twenty-one (21) may transport a rifle or shotgun in or on a privately-owned motor vehicle if the rifle or shotgun does not have ammunition in the chamber or cylinder, and no clip or magazine containing ammunition

is inserted in the rifle or shotgun or is in close proximity to both the weapon and any person.

SECTION 5. Tennessee Code Annotated, Section 39-17-1307, is further amended by adding a new subdivision thereto, as follows:

(g) A person commits an offense who, when contacted by a law enforcement officer fails to accurately answer the officer if the officer asks whether the person is carrying a concealed deadly weapon. A violation of this subsection (g) is a Class C misdemeanor.

SECTION 6. Tennessee Code Annotated, Section 39-17-1311(a), is amended by deleting the language "any weapon prohibited" and by substituting instead the language "any firearm or any weapon prohibited."

SECTION 7. Tennessee Code Annotated, Section 39-17-1311(d), is amended in the first sentence by deleting the language "pursuant to § 39-17-1351."

SECTION 8. Tennessee Code Annotated, Section 39-17-1311(e)(2), is amended by deleting the language "pursuant to § 39-17-1351."

SECTION 9. Tennessee Code Annotated, Section 39-17-1321, is amended by deleting subsection (a) in its entirety and by substituting instead the following:

(a) It is an offense for a person to possess a firearm while under the influence of alcohol or any controlled substance.

SECTION 10. Tennessee Code Annotated, Section 39-17-1351(b), is amended by adding the following language to the end thereto:

A handgun carry permit is not required to carry a handgun in this state if a person meets the requirements of § 39-17-1313. A resident of this state with a handgun carry permit issued pursuant to this section may carry a handgun in any other state with which this state has entered into an agreement of reciprocity for handgun permits.

SECTION 11. Tennessee Code Annotated, Section 39-17-1351, is amended by deleting subsection (n) in its entirety and by substituting instead the following:

(n) Unless suspended or revoked, a permit issued pursuant to this section shall not expire and shall entitle the permit holder to carry any handgun or handguns that the permit holder legally owns or possesses. A permit shall be evidenced by an endorsement on a driver license as provided by § 55-50-302. The permit holder shall have such permit holder's driver license with the permit endorsement in the holder's immediate possession at all times when carrying a handgun and shall display the permit on demand of a law enforcement officer.

SECTION 12. Tennessee Code Annotated, Section 39-17-1351, is amended by deleting subsection (o) in its entirety and by substituting instead the following:

(o) The permit shall be issued as an endorsement on a state of Tennessee driver license.

SECTION 13. Tennessee Code Annotated, Section 39-17-1351, is amended by deleting subsection (q) in its entirety and by substituting instead the following:

(q) A permit holder shall have a firearms permit endorsement placed on the permit holder's Tennessee driver license when such driver license is issued or renewed.

SECTION 14. Tennessee Code Annotated, Section 55-50-102, is amended by adding a new subdivision thereto, as follows:

( ) "Firearms permit endorsement" means a special authorization that permit the holder to carry firearms where such weapons are not otherwise prohibited by law;

SECTION 15. Tennessee Code Annotated, Section 55-50-302, is amended by adding a new subsection thereto, as follows:

(h) The department shall issue firearms permit endorsements to those persons who have received a handgun carry permit pursuant to § 39-17-1351.

SECTION 16. Firearms permit endorsements shall be added to Tennessee driver licenses as they are issued or replaced. Handgun carry permits issued prior to the effective

date of this act shall remain valid until a firearm permit endorsement is placed on the permit holder's driver license.

SECTION 17. This act shall take effect July 1, 2011, the public welfare requiring it.